

SCOPE OF DIVERSITY

THE EQUAL EMPLOYMENT OPPORTUNITY NEWSLETTER FOR KENTUCKY STATE EMPLOYEES

VOLUME I, ISSUE IV

AUGUST, 2006

MONTHLY PUBLICATION

The Personnel Cabinet
Office of Human Resource Planning & Diversity Initiatives

Special Points of Interest:

- *Sexual Harassment Case Scenario's*
- *Diversity Scramble*
- *An Effective Approach to Diversity Planning*



MESSAGE FROM THE EXECUTIVE DIRECTOR

Even though it is summer, now is the time to plan for the fall. Please be mindful that in the fall we will be hosting the 20th Annual Governor's EEO Conference and we look forward to your attendance. Please register early in order to take advantage of the early registration discount. Our office seeks to provide you with the knowledge necessary to address your duties as an EEO Coordinator/Counselor and we are excited about the conference workshops that have been planned.

The purpose of the *Scope of Diversity* newsletter is to provide information relevant to the issues of EEO and diversity in various educative formats to accommodate the various learning styles that exist. This newsletter

is written for state employees who are EEO Coordinators/Counselors, personnel managers and agency heads.

The mission of the Office of Human Resource Planning and Diversity Initiatives is to assist the Commonwealth and its agencies in developing collaborative and innovative strategies to achieve and maintain an inclusive and diverse workforce. The first step in doing this is to build continuity among agencies regarding knowledge, resources, and policies. We hope that the newsletter serves as a resource of helpful information, activities for training, updates on developments in this office, and an avenue for communication. Additional educational

information is available upon request.

To assess the reach of this publication, this issue consists mostly of activities and is designed to solicit feedback. In addition to reading and completing the activities, we request that you complete the survey attached to the mailing cover and return it to the Office of Human Resource Planning and Diversity Initiatives. Doing so places you in a drawing to be considered for a free ticket to the Ali Center, located in Louisville, Kentucky. Your participation also assists this office in serving you. Our office may be contacted at 502-573-0321.

Our office values your opinion and looks forward to your responses.



We are Diversity!



Inside this issue:

Diversity Scramble	2
Who Among Us...	2
Case Scenario's	3
Diversity Notes	4

SCOPE OF DIVERSITY

DIVERSITY SCRAMBLE

Test your knowledge. Figure out the diversity scramble.

EOE

sarshaemtn

nilmanceopc

potenism

carmsi

OE4E teprr

aaticioncodmom

aibs

teainicrmsid

.vierdity

Answers and Definitions

1. Nepotism - Refers to the act of favoritism shown to relative or close friends by those having authority.

2. Accommodation - is a measure taken to diminish a workplace barrier to a disabled employee in order to allow them to perform job tasks.

3. EEO - is an acronym for Equal Employment Opportunities.

4. Racism - A belief that race is the primary determinant to human traits and capabilities and that racial differences produce an inherent superiority of a peculiar race.

5. Bias - To give a prejudiced outlook, an inclination of temperament or out-

look, a personal and sometimes unreasoned judgment.

6. EEO4 Report - Refers to the required reporting of an employer's percentage of women and minority employees according to job categories.

7. Harassment - is to commit unwelcome, intimidating, or hostile behavior toward others.

8. Diversity - is the psychological, physical and social differences that occur among any and all individuals, such as race, ethnicity, nationality, reli-

gious, economic class, gender, mental and physical ability, and learning styles.

9. Discriminate - Treatment that is unfavorable or unfair towards individuals or groups based on their race, sex, color, religion, national origin, age, or physical or mental abilities.

10. Compliance - is the meeting or observation of a set of requirements or standards.

WHO AMONG US ARE ANDERSON LAUREATE AWARD RECIPIENTS?

Are you or someone you know a Kentuckian and always championing the rights of others?

If so, submit an Anderson Laureate Award Nomination form!

This month the Personnel Cabinet and Office of HR Planning & Diversity Initiatives is seeking nominations for the Anderson Laureate award. The recipient of this award will be a Kentuckian who has significantly impacted the opportunity and equality of Kentucky life that benefits the protected classes of race, color, age, national origin, gender, religion, or disability.

Charles Anderson, Jr. was the first Black legislator in Kentucky and the South after the Reconstruction era. His efforts in the House of Representatives greatly impacted the desegregation of schools, prohibitions of racial discrimination in hiring practices, and

the repeal of the notorious "hanging law".

The recipients of this award boast the likes of prominent figures such as Governors Paul Patton, Martha Layne Collins, Brereton C. Jones, Wallace Wilkinson and Edward Breathitt; civil rights activists Anne Braden, Lyman T. Johnson, Whitney M. Young, and Judge Gary Payne; first ladies Judi Patton and Martha Stafford Wilkinson; clergymen, Rev. Patrick Delahanty, Rev. Danny G. Williams and Rev. Louis Coleman, Jr.; and senators, Gerald Neal and Georgia Davis Powers. This distinguished award is in its 17th year of recognizing Kentuckians who advocate equality and opportunity.

This is a very prestigious award given each year at the Annual Governor's Equal Employment Opportunity Conference. Please take a moment and reflect on the leaders in your life. Do

they qualify for the Anderson Laureate Award?

The deadline for submitting nominations for this year's award is August 22, 2006. Nomination Forms are online at: www.personnel.ky.gov. Click on the EEO/Diversity link. or call us at 502-573-0321.

Recipients will be notified September 22, 2006. The Award will be presented October 19, 2006 at the Governor's Award Luncheon in conjunction with the 20th Annual Equal Employment Opportunity Conference held October 17-19, 2006 at Holiday Inn Hurstbourne, Louisville, Kentucky.

CASE SCENARIO'S

Sexual Harassment

Sexual Harassment is a form of misconduct which interferes with work productivity and wrongfully deprives employees of the opportunity to work in an environment free from unsolicited and unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct. It is a prohibited personnel practice and is a violation of state law.

Situation # 1

No means No: Jay has invited Marie to have dinner with him several times since they have been working together. Marie has declined each time. With each interaction with Jay, he makes small references to going out or how well they work together. After the last invitation she told her supervisor that she considered his behavior to be harassment. Was this an example of unlawful sexual harassment?

Answer:

This is an example of pervasive unwelcome behavior by Jay.

Situation # 2

George supervises 14 workers at the IYZ Company. On Thursday, June 26, 2006, George and Janice visited a client on the other side of town. George drove his car. In route back to the office, George suggested that they stop and have a drink. Janice declined, but George continued commenting on her appearance and touching her in an offensive manner several times. Was this an example of unlawful sexual harassment?

Answer:

This is an example of unwelcome and severe sexual harassment.

Explanation of Situation #1 and #2:

Sexual harassment occurs when there is unwelcome sexual advances, request for sexual favors, and/or other verbal or physical conduct of a sexual nature that interferes with work or effects the terms of employment. Unlawful sexual harassment can occur in two forms. Quid pro quo sexual harassment occurs when a supervisor conditions an employment benefit upon acquiescence to sexual demands. Hostile environment sexual harassment occurs when verbal or physical conduct of a sexual nature unreasonably interferes with an employees work environment. In determining a hostile environment the Supreme Court has held that the conduct must be "sufficiently severe or pervasive". As to alter the conditions of employment and create an abusive working environment.

'EEO in the Know'

Questions and Answers

1. George's harassment is Quid Pro Quo harassment.

True/ False

2. Supervisors and any employee may commit Quid Pro Quo harassment.

True/ False

3. Only supervisors and/or other persons who have the authority to affect terms and conditions of employment can commit this form of harassment.

True/ False

4. Harassment, such as that engaged in by George and Jay, may create a hostile work environment for employees.

True/ False

5. The Courts have held that a hostile work environment is an unlawful employment practice.

True/False

6. Jay's repetitive actions could be considered by the courts to determine the severity of pervasiveness of the harassment.

True/False

7. It would not be retaliation for Marie and/or Janice to be asked to move to another department so they would not have to work with either Jay or George as result of their filing a sexual harassment complaint.

True/False

If you are an EEO Coordinator please call the Office of HR Planning & Diversity Initiatives to see if you are an 'EEO in the Know' winner. If you answer all the questions correctly and are the 20th coordinator or counselor to respond, you will win a prize from the Office of Human Resource Planning & Diversity Initiatives. Contact Margaret Fuqua at 502-573-0321.

Source: Title VII of the Civil Rights Act of 1964, as amended in the EEOC Guidelines on Sex Discrimination.

Source: Investigating Sexual Harassment: A Practical Guide to Resolving Complaints. Thompson Publishing

GET REGISTERED !

FOR THE 20TH ANNUAL GOVERNOR'S EEO CONFERENCE

ONLINE TODAY AT:

[HTTP://PERSONNEL.KY.GOV/EE0/](http://PERSONNEL.KY.GOV/EE0/)



DIVERSITY NOTES

An Effective Approach to Diversity Planning

Developing an approach to diversity can be rewarding to an organization or agency and requires a systematic course of action. There are four factors that work together to integrate diversity into an environment.

Four factors of an effective approach to diversity are:

1. Clear policy
2. Effective communication
3. Proactive training
4. Complaint procedures

An organization wishing to take an effective approach to diversity must consider four key components to developing a strategy. First there must be clear policy. An organization should memorialize its intent and commitment.

By doing so, the organization is establishing the policy as a priority.

There has to be effective communication of the policy. The communication should be far reaching. It is necessary that the policy is published and disseminated in a manner that reaches all of its members and potential members. Traditionally, this is accomplished through the employee handbook, recruitment materials, and policy manuals.

Proactive training educates the body of the organization to make them aware of the policy and its practical nature. By providing training, an organization is investing in its own efficiency by setting the standards for the

expectations of the organization. Training ensures competency in the subject matter and reinforces the priority level of the subject.

Complaint procedures are another proactive measure organizations can take to assist employees who are willing to deal with their situations.

The meter of change relies on the level of investment given to these areas. Agencies may contact the Office of HR Planning and Diversity Initiatives for further information or assistance with diversity planning at (502) 573-0321



Anderson Laureate Award Nominations

**Due
August 22, 2006**

*For more information contact the
Office of Human Resource Planning
and Diversity Initiatives. (502)573-0321*

**Changing the World:
Making a Difference**